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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,951	09/18/2001	John R. Hind	RSW920010128US1	8532

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EXAMINER

STEVENS, ROBERT

ART UNIT	PAPER NUMBER
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2162

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/954,951

Applicant(s)

HIND ET AL.

Examiner

Robert Stevens

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Office withdraws the previous rejections of the claims under 35 USC §103(a) , in light of the arguments in the Appeal Brief filed 11/6/2006. However, the Office sets forth new rejections of the claims under 35 USC §103(a).

Response to Arguments

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Applicant asserted on page 7 of the Appeal Brief, that a patentee is free to be his own lexicographer, and therefore the terminology “before all portlet information is gathered” is to be considered as if it were in the claim language.

The Office respectfully disagrees. That statement requires that the term be defined in some manner, either explicitly or implicitly. Since it was not defined, the Office is free to interpret the term in a reasonable manner.

Additionally, Applicant asserts on page 8, that use of the term “if” means that the condition indicated by the “if” statement must occur.

The Office respectfully disagrees. It is noted that the broadest reasonable interpretation encompasses either condition of an “if” statement. It is further noted that an “if” statement

indicates two mutually exclusive conditions (i.e., true or false). Thus, a reasonable interpretation would encompass either of these mutually exclusive conditions/events.

Applicant further asserts on page 12 of the Appeal brief that the references do not teach omitting the refresh trigger only if all portlets have acquired their content.

The Office agrees, and has cited new art (Polizzi) vice this limitation in the rejection of the claims under 35 USC 103(a), below.

Applicant further asserts on page 12 of the Appeal brief that the references do not teach detecting that one or more of the portlets which had not acquired their content when the first document was returned in the response message have now acquired their content.

The Office agrees, and has cited new art (Polizzi) vice this limitation in the rejection of the claims under 35 USC 103(a), below.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-7, 10-16, 24-29, 32-35, 42-44 and 46-49 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hütsch et al (US Patent Application Publication No. 2001/0034771, filed Jan. 12, 2001 and published Oct. 25, 2001, hereafter referred to as “Hütsch”) in view of Alan Richmond, “HTML’s META-tag: HTTP-EQUIV”, Web Developer’s <Virtual Library>, Oct. 12, 1999, pp. 1-3, hereafter referred to as “Richmond”) and Polizzi et al (US Patent No. 6,832,263, provisionally filed Apr. 27, 2000 and issued Dec. 14, 2004, hereafter referred to as “Polizzi”).

Independent claim 1 states:

A method of incrementally rendering content in a content framework, comprising steps of:

- receiving a request for a portal page, wherein one or more portlets provide content for the portal page;*
- immediately returning a response message containing a first document the first document representing results from portlets which have acquired their content; and*
- programmatically generating a mechanism for delivering an updated document if the first document does not represent results of all portlets.*

Hütsch discloses a network portal system comprising portlets and requests therefor in Figure 3A showing a portlet manager #321 that interacts with portlets 1 – N (element #324) when such portlets are requested via a client device as described in paragraphs [0018] and [0122]-[0124]. Hütsch further discloses delivering portlet pages in paragraph [0128] discussing the delivery and display of portlet pages on client devices as markup language pages.

However, Hütsch does not explicitly disclose the programmatic updating of the delivered document. Richmond, though, teaches the programmatic updating of document caches in middle of page 1, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Expires").

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would have allowed a programmer to automatically refresh a document as taught by Richmond in the middle of page 1, discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

However, Hütsch does not explicitly disclose testing whether portlets need to be updated. Polizzi, though, teaches the programmatic updating of document objects on a portal page upon data being updated or stored in the portal system. It was implicit that a portal object that was dynamically updated was tested for new data stored in the portal system.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Polizzi for the benefit of Hütsch in view of Richmond, because to do so would have allowed a programmer to dynamically update a portal object as taught by Polizzi in the Abstract. These references were all applicable to the same field of endeavor, i.e., web page/service design.

Regarding dependent claims 2-6, Hütsch does not explicitly disclose the use of refresh triggers. Richmond, though, teaches the programmatic updating of document caches in the

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middle of page 1, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Expires"). Richmond further discusses the updating of web pages in the "Meta Refresh" section of page 2, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Refresh").

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch in view of Polizzi, because to do so would have allowed a programmer to automatically refresh a document as taught by Richmond in the middle of page 1, discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

Regarding dependent claim 7, Hütsch discloses the use of WML in paragraph [0099], discussing the well-known use of WML.

Regarding dependents claim 10-12, Hütsch does not explicitly disclose the well-known use of <META> tags, which implement refresh triggers. Richmond, though, teaches HTML's <META> tag and the HTTP-EQUIV for binding an element to an HTTP header on pages 1 and 2, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Expires"), and updating web pages in the "Meta Refresh" section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web

page update or refresh. It was merely an obvious variant to one skilled in the art at the time of the invention as to what value one used as the refresh rate.

Regarding dependent claims 13-14, Hütsch discloses configurable parameters in paragraphs [0151] and [0156], discussing user settings and application and device-specific configuration parameters. However, Hütsch does not explicitly disclose modifying fetch times with values (e.g., weights or constants). Richmond, though, teaches updating web pages in the “Meta Refresh” section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web page update or refresh. It was well-known to one skilled in the art at the time of the invention that constants may be added to values.

Regarding dependent claim 15, Hütsch discloses receiving a message from a client, a client receiving a multipart document and rendering the multipart document in paragraphs [0100] and [0125]-[0128], discussing a client request for a multipart document (containing portlets) and the subsequent rendering of that multipart document on the client.

However, Hütsch does not explicitly HTTP responses. Richmond, though, teaches HTML’s <META> tag and the HTTP-EQUIV for binding an element to an HTTP response header on pages 1 and 2, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv=“Expires”), and updating web pages in the “Meta Refresh” section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web page update or refresh.

Regarding dependent claim 16, Hütsch discloses identifying a condition in which portlet information is not available in paragraphs [0201] and [0128], discussing the generation of an error message if a portlet request cannot be processed. However, Hütsch does not explicitly disclose omitting the use of a refresh trigger. Polizzi, though, teaches that the use of a refresh trigger is not necessary for updates. In column 6 lines 59-62, Polizzi discusses ad-hoc (trigger-based) and predetermined schedule updates.

Independent claim 24 states:

A method of incrementally rendering content in a content framework, comprising steps of:

receiving a request for a portal page, wherein one or more portlets provide content for the portal page;
immediately returning a response message containing a first document, the first document representing results from portlets which have acquired their content; and
automatically delivering an updated document if the first document does not represent results of all portlets.

Hütsch discloses a network portal system comprising portlets and requests therefor in Figure 3A showing a portlet manager #321 that interacts with portlets 1 – N (element #324) when such portlets are requested via a client device as described in paragraphs [0018] and [0122]-[0124]. Hütsch further discloses delivering portlet pages in paragraph [0128] discussing the delivery and display of portlet pages on client devices as markup language pages.

However, Hütsch does not explicitly disclose the programmatic updating of the delivered document. Richmond, though, teaches the programmatic updating of document caches in middle of page 1, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Expires").

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would have allowed a programmer to automatically refresh a document as taught by Richmond in the middle of page 1, discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

However, Hütsch does not explicitly disclose testing whether portlets need to be updated. Polizzi, though, teaches the programmatic updating of document objects on a portal page upon data being updated or stored in the portal system. It was implicit that a portal object that was dynamically updated was tested for new data stored in the portal system.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Polizzi for the benefit of Hütsch in view of Richmond, because to do so would have allowed a programmer to dynamically update a portal object as taught by Polizzi in the Abstract. These references were all applicable to the same field of endeavor, i.e., web page/service design.

Independent claim 25 states:

A method of incrementally rendering content in a content framework, comprising steps of:

receiving a request for a portal page frame, wherein one or more portlets provide content for the portal page frame;
immediately returning a response message containing a first mini-document, the first document representing results from portlets which have acquired their content; and
programmatically generating a mechanism for delivering an updated mini-document if the first mini-document does not represent results of all portlets.

Hütsch discloses a network portal system comprising portlets and requests therefor in Figure 3A showing a portlet manager #321 that interacts with portlets 1 – N (element #324) when such portlets are requested via a client device as described in paragraphs [0018] and [0122]-[0124]. Hütsch further discloses delivering portlet pages in paragraph [0128] discussing the delivery and display of portlet pages on client devices as markup language pages.

However, Hütsch does not explicitly disclose the programmatic updating of the delivered document. Richmond, though, teaches the programmatic updating of document caches in middle of page 1, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Expires").

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would have allowed a programmer to automatically refresh a document as taught by Richmond in the middle of page 1, discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

However, Hütsch does not explicitly disclose testing whether portlets need to be updated. Polizzi, though, teaches the programmatic updating of document objects on a portal page upon data being updated or stored in the portal system. It was implicit that a portal object that was dynamically updated was tested for new data stored in the portal system.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Polizzi for the benefit of Hütsch in view of Richmond, because to do so would have allowed a programmer to dynamically update a portal object as taught by Polizzi in the Abstract. These references were all applicable to the same field of endeavor, i.e., web page/service design.

Independent claim 32 is directed to a system for implementing the method of claim 1. As such, this claim is substantially similar to claim 1, and therefore likewise rejected.

Regarding dependent claim 34, Hütsch discloses means for receiving a client response message and rendering by a client a first document in paragraphs [0100] and [0201], discussing client transmission and document display. However, Hütsch does not explicitly disclose sending updates. Richmond, though, teaches updating web pages in the “Meta Refresh” section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web page update or refresh.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch in view of Polizzi, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in p. 1, middle of page discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

Independent claim 42 is directed to a system for implementing the method of claim 25. As such, this claim is substantially similar to claim 25, and therefore likewise rejected.

Independent claim 46 is directed to a computer program product comprising code for executing the method of claim 1. As such, this claim is substantially similar to claim 1, and therefore likewise rejected.

Claims 26 and 43 are substantially similar to claim 3 and therefore likewise rejected.

Claims 27 and 44 are substantially similar to claim 4 and therefore likewise rejected.

Claim 28 incorporates the limitations of claims 5 and 6, and therefore is substantially similar to these claims and likewise rejected.

Claim 29 is substantially similar to claim 11 and therefore likewise rejected.

Claims 33 and 47 are substantially similar to claim 2 and therefore likewise rejected.

Claims 35 and 49 are substantially similar to claim 16 and therefore likewise rejected.

Claim 48 is substantially similar to claim 15 and therefore likewise rejected.

5. **Claims 8-9 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hütsch et al (US Patent Application Publication No. 2001/0034771, filed Jan. 12, 2001 and published Oct. 25, 2001, hereafter referred to as "Hütsch") in view of Alan Richmond, "HTML's META-tag: HTTP-EQUIV", Web Developer's <Virtual Library>, Oct. 12, 1999, pp. 1-3 (hereafter referred to as "Richmond") and further in view of Polizzi et al (US Patent No. 6,832,263, provisionally filed Apr. 27, 2000 and issued Dec. 14, 2004, hereafter referred to as "Polizzi") and Morris (US Patent No. 6,453,361, filed Oct. 27, 2000, hereafter referred to as "Morris").

Regarding dependent claims 8-9, Hütsch does not explicitly disclose the use of I-mode or HDML. Morris, though, teaches the well-known use of the cHTML markup language and the corresponding i-mode service in col. 4 lines 48-53 and col. 2 lines 53-54, respectively, discussing cHTML and i-mode.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Morris for the benefit of Hütsch in view of Richmond and Polizzi,

because to do so would have allowed a user to communicate using a client device such as a cell phone as taught by Morris in col. 4 lines 47-53. These references were all applicable to the same field of endeavor, i.e., web page/service design.

6. **Claims 17-22, 30-31, 36-40, 45, and 50-53 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hütsch et al (US Patent Application Publication No. 2001/0034771, filed Jan. 12, 2001 and published Oct. 25, 2001, hereafter referred to as “Hütsch”) in view of Alan Richmond, “HTML’s META-tag: HTTP-EQUIV”, Web Developer’s <Virtual Library>, Oct. 12, 1999, pp. 1-3 (hereafter referred to as “Richmond”) and further in view of Polizzi et al (US Patent No. 6,832,263, provisionally filed Apr. 27, 2000 and issued Dec. 14, 2004, hereafter referred to as “Polizzi”) and Laura LeMay, SAMS Teach Yourself Web Publishing with HTML 4 in 21 Days, 2nd Edition, Sam’s Publishing, Indianapolis, IN, © 2000 (hereafter referred to as “LeMay”).

Regarding dependent claims 17-19, Hütsch does not explicitly disclose embedding multiple parts in a document in which those parts are delimited by boundary strings and detecting that page elements have not acquired their content and responding via embedded parts in a multipart document. LeMay, though, teaches embedding of multiple parts in a document in the bottom of page 364, discussing code for embedding frames in a HTML document as further illustrated in Figure 12.10 of page 365. The code further illustrates delimiting parts of a

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multipart document using a frameset HTML instruction (bottom of page 364, noting <frameset rows="*,*,*"> for preceding and </frameset> for terminating the code block).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of LeMay for the benefit of Hütsch in view of Richmond and Polizzi, because to do so would have allowed a web publisher to display more than one HTML document, for instance, within a single browser as taught by LeMay in the p. 360 "Working with Frames" section, including Figure 12.7. These references were all applicable to the same field of endeavor, i.e., web page/service design.

Regarding dependent claim 20, Hütsch discloses receiving a message from a client, a client receiving a multipart document and rendering the multipart document in paragraphs [0100] and [0125]-[0128], discussing a client request for a multipart document (containing portlets) and the subsequent rendering of that multipart document on the client.

Regarding dependent claim 21, Hütsch discloses identifying a condition in which portlet information is not available in paragraphs [0201] and [0128], discussing the generation of an error message if a portlet request cannot be processed. However, Hütsch does not explicitly disclose sending updates. Polizzi, though, teaches the dynamic updating of a portal in the Abstract, and further teaches the use of an ad-hoc or a predetermined schedule mechanism for such updates.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Polizzi for the benefit of Hütsch in view of Richmond and LeMay, because to do so would have allowed a programmer to dynamically update a portal object as taught by Polizzi in the Abstract. These references were all applicable to the same field of endeavor, i.e., web page/service design.

Claim 22 incorporates the limitations of claims 18 and 19, and therefore is substantially similar to these claims and likewise rejected.

Claims 31, 37, 40 and 53 are substantially similar to claim 22 and therefore likewise rejected.

Claims 30, 36 and 45 are substantially similar to claim 17 and therefore likewise rejected.

Claims 38 and 51 are substantially similar to claim 20 and therefore likewise rejected.

Claims 39 and 52 are substantially similar to claim 21 and therefore likewise rejected.

Claim 50 incorporates the limitations of claims 17, 18 and 19, and therefore is substantially similar to these claims and likewise rejected.

7. **Claims 23 and 41 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hütsch et al (US Patent Application Publication No. 2001/0034771, filed Jan. 12, 2001 and published Oct. 25, 2001, hereafter referred to as “Hütsch”) in view of Alan Richmond, “HTML’s META-tag: HTTP-EQUIV”, Web Developer’s <Virtual Library>, Oct. 12, 1999, pp. 1-3 (hereafter referred to as “Richmond”) and further in view of Polizzi et al (US Patent No. 6,832,263, provisionally filed Apr. 27, 2000 and issued Dec. 14, 2004, hereafter referred to as “Polizzi”) and Kanefsky et al. (US Patent Application Publication No. 2002/0026500, provisionally filed Jun. 12, 2000, hereafter referred to as “Kanefsky”).

Regarding dependent claim 23, Hütsch does not explicitly disclose the insertion of a hyperlink into a document. Kanefsky, though, teaches inserting a new URL into a first document in paragraph [0062], discussing inserting a URL into a document to replace an existing URL.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Kanefsky for the benefit of Hütsch in view of Richmond and Polizzi, because to do so would have allowed a server to perform relaying services to devices attached to a network as taught by Kanefsky in [0027]. These references were all applicable to the same field of endeavor, i.e., web page/service design.

Claim 41 is substantially similar to claim 23 and therefore likewise rejected.

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Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Non-Patent Literature

"Oracle Quick Portal Tour", © 2000, pp. 1-6 (downloaded from: http://12.46.245.173/help/qt_frm.htm).

Naudé, Frank, "Oracle Portal (WebDB) FAQ", Feb. 15, 2001, pp. 1-3 (downloaded from: www.orafaq.com/faqwebdb.htm).

"Plumtree Software and Actuate Announce Availability of New Portal Gadgets", Actuate Press Release, Mar. 19, 2001, pp. 1-3 (downloaded from: www.actuate.com/company/news/press-releases-resources.asp?ArticleId=617).

Singer, Michael, "Plumtree Opens Online Gadget Workshop and Showroom", internetnews.com, Feb. 7, 2001, 1 page (downloaded from: www.internetnews.com/xSP/article.php/582561).

Sollicito, Michelle Johnston, "E-Portal Software Options: A Comparison of Current Products", informit.com, Nov. 15, 2002, pp. 1-6 (downloaded from: www.informit.com/articles/printerfriendly.asp?p=30027&rl=1).

Hochstetler, Stephen, et al., "Introducing Tivoli Personalized Services manager 1.1", IBM Redbooks, June 2001, pp. cover, i-xv and 181-262.

US Patent Application Publications

Flesner et al	2002/0194267
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US Patents

Cooper et al	7,155,678
Cohen et al	7,165,088
Robarts et al	7,073,129
Ballard et al	7,111,243
Campbell et al	6,920,615
Tamir et al	6,957,390

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Stevens whose telephone number is (571) 272-4102. The examiner can normally be reached on M-F 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Robert Stevens
Examiner
Art Unit 2162

February 16, 2007

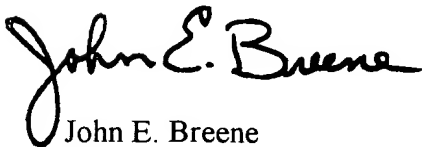
In view of the appeal brief filed on 11/6/2006, PROSECUTION IS HEREBY REOPENED. New grounds of rejections are set forth herein.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

A handwritten signature in black ink that reads "John E. Breene". The signature is written in a cursive, flowing style.

John E. Breene
Supervisory Patent Examiner
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